

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application.

Claims 1-19 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejection in view of the amendment and remarks set forth below.

Rejections under 35 U.S.C. § 102

Claims 1, 2, 5 and 9 stand rejected under 35 U.S.C. § 102 as being anticipated by Stein et al. (Mechanical and Electrical Equipment for Buildings, pages 321, 322 and 433). This rejection is respectfully traversed.

Claim 1 now includes a combination of elements describing a spatial structure, including wall and roof structures which define interior spaces with several closed separate spaces arranged in an unitary interior space where the climate in each separate space can be separately regulated in accordance with differing geographically related climatological conditions.

The Examiner rejected the claim as being anticipated by Stein et al. The Stein book describes equipment for heating, including a building having various zones which are regulated by local systems. However, this book describes a building arrangement using HVAC (heating, ventilating and cooling) systems. The systems allow different thermal zones in different spaces of the building. However, these different zones are for having minor differences in different areas for different functions, such as apartments, offices and stores. It also allows a balanced system which can handle differences such as solar heating and wind which occur from different directions. However, this reference does not teach areas with climatologically different conditions.

That is, claim 1 now makes it clear that the differences in different areas are "geographically related climatological conditions". Thus the differences between zones are not differences that

would occur between apartment and office, but with temperatures that occur when going from the artic to the desert. Applicant submits that the reference does not teach this type of structure and that the reference does not allow the climate to be regulated to this degree. Accordingly Applicant submits claim 1 defines over the Stein et al. reference.

Claims 2 and 5 depend from claim 1 and as such are also considered to be allowable. In addition, these claims further describe the use of such spaces as constituting different functional groups used for a separate activity or function in connection with an interior space to which it logically connects. Accordingly, these claims are likewise considered to be allowable.

Claim 9 is a method claim corresponding to claim 1 which includes a combination of steps including presenting different conditions related to the cold season of the year wherein the temperature in functionally connected closed separate spaces is separately regulated to correspond to a climate so that human activities corresponding to a climate condition are brought to implementation in a space having the temperature. Accordingly, this claim is also believed to be allowable for the same reason recited above in claim 1.

Rejections under 35 U.S.C. § 103

Claims 3, 4, 6, 7, 10, 11 and 13-15 stand rejected under 35 U.S.C. § 103 as being obvious over Stein et al. The Examiner states that it would have been an obvious design choice to cool buildings to Nordic temperatures, to use the excess heat to heat other spaces, to have plants and animals in an apartment, to regulate the temperature in the separate spaces to mimic seasons and to have shared temperature for functional groups with observation windows. This rejection is respectfully traversed.

Applicant disagrees that it would be an obvious design choice for an HVAC system to cool buildings to Nordic temperatures. Such systems are not designed to handle this type of cooling. Further, walls for standard apartment or commercial buildings are not designed to separate such a low temperature from that of adjoining spaces. If an occupant of the apartment or office space suggested to the HVAC operator that his space to be cooled down to Nordic winter temperatures, it would be considered an odd request. Stein et al. provides no indications that the equipment is designed for such a purpose.

Furthermore, Applicant submits that it would not be obvious for the occupant living space to have the temperature regulated to mimic seasons. It is not certain how the HVAC system of an apartment could be used to cool down to freezing temperatures and not damage plumbing and other systems. Also, it is unrealistic to expect a rain forest conditions in an apartment without having serious problems with moisture, condensation, mold, etc. Further, Applicant submits this is not an obvious design choice as the Examiner suggests. For the reasons, Applicant submits that these claims would not be obvious over this reference either.

The Examiner rejected claims 8 and 12 as being obvious over the National Aquarium in Baltimore brochure. Since claim 8 depends from claim 1, which is not rejected under this reference, it is not understood how this reference would apply. In regard to claim 12, the Examiner suggests that it would be obvious to lower the temperature of the pool to produce ice. The Examiner also believes that the puffins would keep holes in the ice. Applicant submits that this is not at all obvious. Page 4 of the brochure indicates that the puffins splash in seas at 45°. This is considerably different than the freezing temperature 32°. Further, it is not at all likely that the puffins, which are birds, could keep holes open in the ice cover. Even if they did so, it is not at all likely that humans would be allowed to swim in the pool which houses the puffins. Such human interference is

normally prohibited to prevent injury to the animals. Applicant submits that the Examiner's suggestion in regard to this reference is not feasible at all.

New claims 16-19 have been added which specifically define the particular spaces and functions. This is not seen in the references.

Conclusion

In view of the above remarks, it is believed the claims clearly distinguish over the patents relied on by the Examiner either alone or in combination. In view of this, reconsideration of rejections and allowance of all the claims are respectfully requested.

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a two (2) month extension of time for filing a reply in connection with the present application, and the required fee of \$200.00 is attached hereto.

Additionally, the fee for the additional claim in the amount of \$9.00 is attached hereto.

Attached hereto is a marked-up version of the changes made to the application by this Amendment.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Version with Markings to Show Changes Made

(Rev. 02/20/02)

VERSION WITH MARKINGS TO SHOW CHANGES MADE**IN THE CLAIMS:**

The claims have been amended as follows:

1. (Twice Amended) A spatial structure [(1, 1a)] arranged especially for spending of leisure, said structure comprising wall and, correspondingly, roof structures [(2, 3)] which define one or several interior [space(s)] spaces [(6)] separated from the ambient open-air, wherein [characterized in that] several at least partially closed separate spaces [(7 to 16b, 23)] for human activities are arranged in an unitary interior space [(6)], or in immediate connection thereto, wherein the climate in each separate space [(7 to 16, 2)] can be separately regulated [in accordance with] to mimic mutually differing geographically related climatological conditions for such activities.

2. (Twice Amended) A structure as defined in claim 1, wherein [characterized in that] in] said at least partially closed separate spaces [(7 to 16b, 23) is] are arranged activities, which, respectively, constitute different functional groups.

3. (Amended) A structure as defined in claim 1 or 2, wherein [characterized in that] the temperature of at least one separate space [(7)] corresponds to the winter temperature of the Nordic or Arctic areas.

4. (Three Times Amended) A structure as defined in claim 1, wherein [characterized in that] one or several refrigerating and/or heating [apparatus (es) is (are)] apparatuses are arranged for the temperature regulation of different spaces, said apparatus being common for several partially closed separate spaces [(7 to 16b, 23)] or a corresponding space connected to said structure.

5. (Twice Amended) A structure as defined in claim 1, wherein [characterized in that] a separate space [(23)] for a separate activity or function is arranged in connection with said unitary interior space [(6)] outside thereof, where the interior temperature of said separate [(23)] logically connects to a separate space [(7, 12 to 16)] arranged in said unitary interior space [(6)].

6. (Twice Amended) A structure as defined in claim 1, wherein [characterized in that] natural and/or artificial plants [(21)] and/or animals [(19, 20)] and/or structures providing experiences of art or such like are located in said at least partially closed separate spaces [(7 to 16b, 23)].

7. (Three Times Amended) A structure as defined in claim 1, wherein [characterized in that] separate spaces for describing at least winter [(7)] and summer [(9)] are arranged in said interior space [(6)], favorably so that the temperatures in said spaces are adapted mutually to change in accordance with the yearly seasonal rhythm of nature or in a rhythm which differs therefrom in a desired manner.

8. (Twice Amended) A structure as defined in claim 1, wherein [characterized in that] at least one separate space [(12)] comprises a water area [(14)] or pool having an ice cover and arranged for winter swimming and/or winter jig fishing or similar activity, said pool suitably having fish or the like water animals located therein.

9. (Twice Amended) A method for presenting different geographically related climatological [climate] conditions and [especially] activities related to the cold season of the year, wherein [characterized in that] the temperature in functionally interconnected essentially closed separate spaces [(7 to 16b, 23)] is separately regulated to correspond to the appropriate climate so that human activities or functions corresponding to a respective climate condition are brought to implementation in a space which suitably has [the] a mean temperature of the respective climate.

10. (Amended) A method as defined in claim 9, wherein [characterized in that] excess heat emanating from the refrigeration of a colder separate space [(7, 11 to 16, 22)] is utilized for the heating of a warmer separate space [(5, 9)].

11. (Amended) A method as defined in claim 9 or 10, wherein [characterized in that] the temperatures in different separate spaces [(7 to 10)] are brought in turn to mutually alternate in order to disclose and/or imitate the natural seasonal rhythm.

12. (Twice Amended) A pool structure containing water, wherein [characterized in that] said pool [(14)] is arranged in an essentially closed space [(12)] so that an artificial ice cover can be formed thereon by one or several refrigerating machineries, which ice cover comprises holes for such human activities as winter swimming and/or winter fishing, or in which ice cover such holes can be made.

13. (Amended) A structure as defined in claim 2, wherein [characterized in that] said functional groups of activities have in common a special climatologic temperature in the respective separate space [(7 to 16b, 23)].

14. (Amended) A structure as defined in claim 13, wherein [characterized in that] said spaces [(7 to 16b, 23)] can be at least partially observed also from outside said separate space [(7 to 16b, 23)] through a transparent wall [(18)].

15. (Amended) A structure as defined in claim 4, wherein [characterized in that] the excess heat which is generated during the refrigeration of a space [(7, 11 to 16, 23)] adapted for arctic and/or winter activities or functions can be conducted for the heating of a separate space [(5, 9)] arranged for tropical and/or summer activities or functions.

Claims 16-19 are added as follows:

--16. The structure as defined by claim 1, wherein said structure includes a first main section and a second main section, wherein said first main section includes a refrigerated field.--

--17. The structure as defined by claim 16, wherein said second main section contains at least four separate spaces, each containing plants representing one of the four seasons to form a garden of the four seasons.--

--18. The structure as defined in claim 17, wherein said second main section further includes at least one of an arctic zoo, an arctic fishing and diving pool, a snow church and a snow hotel.--

--19. The structure as defined in by claim 16, wherein said structure further includes a ski slope.--